

## CHAPTER 39.

## RELATING TO ELECTIONS AND PAYMENT OF EXPENSES THEREOF.

S. F. 248.

AN ACT amending the law as it appears in section eleven hundred and twenty-nine (1129) of the code, relating to elections and the payment of the expenses thereof.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Special policemen—compensation.** That the law as it appears in section eleven hundred and twenty-nine (1129) of the code be and the same is hereby amended by striking out the capital "T" in the first word of said section, and inserting a small letter "t" in lieu thereof; and by inserting after the number of said section and before the word "the" in the first line thereof, the following: "The special policemen appointed under the provisions of this chapter shall be entitled to receive two dollars (\$2) a day as compensation for their services, which with".

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in "The Register and Leader" and "The Des Moines Daily Capital," newspapers published at the city of Des Moines, Iowa.

Approved March 31, A. D. 1904.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, April 1, 1904, and the Register and Leader, April 2, 1904.

W. B. MARTIN,  
Secretary of State.

## CHAPTER 40.

## PRIMARY ELECTIONS.

H. F. 1.

AN ACT providing for the election of delegates of political parties by a primary election and for the nomination of officers by a delegate convention system. [Additional to chapters three (3) and four (4) of title six (VI) of the code, relating to elections and canvass of votes.]

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Primary elections authorized.** That in all counties having a population of seventy-five thousand (75,000) or more, the nomination of candidates for all offices filled by election of voters, except those of incorporated towns and school districts, by all political parties, shall be made by conventions composed of delegates, and the selection and instruction of delegates shall be made and given at primary elections conducted under the regulations herein provided. All delegates chosen and serving as such in convention assembled shall be considered as instructed to vote for, as long as good faith requires, and use their best endeavors to secure the nomination of persons for the various positions to be filled who have received the largest number of votes respectively in the precinct wherein the delegate was elected. The provisions of chapters three (3) and four (4) title six (6) and of chapter eight (8) title twenty-four (24) of the code, and the law as it appears in sections forty-nine hundred nineteen-a (4919-a), forty-nine hundred nineteen-b (4919-b), forty-nine hundred nineteen-c (4919-c) of the supplement to the code, shall apply to all such primary elections, the same as general elections, when not in conflict with this act.

**SEC. 2. When held—polls open.** This primary election shall consist of an election by all political parties held on the first Tuesday in May preceding the November general election at the usual voting places of the sev-

eral precincts, and shall be conducted in the same manner as general elections. In cities where registration is required by law, the polls shall be open from seven (7:00) A. M. to six (6:00) P. M., and in all other precincts from twelve (12) o'clock noon to six (6:00) P. M.

**SEC. 3. Election officers—expenses.** The election officers of the first general election after the primary election shall also be the officers at said primary election. Such judges and clerks of election shall be designated and so notified at least thirty (30) days prior to the primary election day and shall be required to take the same oath as is required by law for judges and clerks of a general election, and their duties, liabilities and compensation shall be the same. The expense of the primary election provided for in section two (2) of this act, shall be paid by the counties in which said primary election is held, all bills to be audited and passed upon by the board of supervisors.

**SEC. 4. Prima facie electors—challenges.** Any person is *prima facie* an elector in a precinct who is a qualified elector in such precinct at the time of such primary election and who has designated the political party with which he desires to be affiliated at the general election held in the preceding November (unless challenged, and if challenged then only in the event the challenge is determined in favor of the voter) and shall be entitled forthwith but not later, to receive a ballot of the political party with which it is determined by the poll books of the preceding year, that he declared his affiliation. The elector voting at such primary election, shall be allowed to vote for candidates for nominations on the ticket of only one political party, and that to be the party with which he is registered as affiliated with; provided however, that those who failed to register their party affiliations for any of the reasons enumerated in section five (5) of this act or who become legal voters of the county after the last general election preceding such primary election, who are otherwise qualified electors of such precinct, shall upon complying with the requirements of said section, have their names registered as provided therein and be entitled to vote, when not challenged, and when a challenge is not sustained, but such person shall not be permitted to vote until the provisions of this act are complied with. When an elector has changed his residence within the county after the November election at which he voted and registered his party affiliation and before the primary election following, he may show his party affiliations by a certificate from the county auditor, which certificate shall be issued upon request by such officer. The endorsement of the judges of election shall appear upon the ballots, as provided by law for the ballots issued at the November election. No person shall vote at a primary election who has not registered as herein provided. The judges of election shall instruct the voter that he is to vote for his choice of the candidates for each office, using only the ballot of the party with which he affiliates, and he must return the ballot folded that it may be deposited in the ballot box.

**SEC. 5. Registration of voters.** In order that none but qualified electors and those affiliating with and who are members of a political party shall participate in any primary election held by such political party, a system for the registration of voters is hereby provided, and such registration shall be conducted in form and manner as follows, to wit: at the general election held in November of each year there shall be set aside, on the regular poll books used for the purpose of registering the names of persons who are qualified to and do vote, space for the registration of all persons who may desire to take part in any primary election held thereafter by any political party. Such space shall be provided on the regular election poll books, immediately following the last perpendicularly ruled column in such book, and shall be headed as follows: "Party Affiliation." It shall be the duty of the judges at such general election to ask each person who votes the question, "With what political party do you desire to affiliate?" and the name of the political

party given by such person shall be recorded in the column provided on the poll books for that purpose. In case any person does not desire to state his party affiliation he shall not be required so to do nor shall his failure so to do act as a bar to his voting at any but a primary election. Any elector who voted at the last general election whose party affiliation was not recorded at such general election or having declared his party affiliation, desires to change the same may, not less than thirty nor more than forty days prior to the date of the primary election, file an affidavit with the officer charged with the custody of the poll books of the last general election, stating his party affiliation and such officer shall enter a record of the same on the poll books in the proper column opposite the voter's name. Any such person who was necessarily absent from the precinct and for said reason was unable to file his affidavit of party affiliation or change of party affiliation during the ten days provided therefor, or any person or persons who were too ill to vote at the last general election or who were prevented therefrom by sickness or death, or other calamity in their family, or any person or persons who have moved into such precinct since the date of the last general election, and who is not provided with a certificate from the county auditor of the county as provided in section four (4) of this act, and who is a qualified elector at the time of said primary election, and any person who became a qualified elector of such precinct since such last general election shall be allowed an opportunity to register at the time and in the manner set forth herein, as follows, to wit: Any such person may apply at the polls of the precinct in which he resides at the time of the primary election, and make affidavit before the officers of said primary election, who are hereby authorized to administer oath or affirmation thereto, and certify to the same, that he was prevented from registering at the regularly appointed time and the cause for such failure, together with his qualifications as a voter and membership in the political party with which he desires to affiliate. In all such cases the person so applying to the officers of the primary election for registration shall, in addition to his own affidavit, produce the affidavit of at least two well known and reputable electors, residents and freeholders of the precinct, setting forth the qualification of such person as an elector and reason or reasons for the failure of such persons to attend the general election held in November for the purpose of voting and registering thereat. In all cases where illness is given as the cause for failure to register, the affidavit of some reputable physician setting forth the fact shall also be produced. The officers of such primary election shall then register the name of the person so applying in the poll book for the precinct on the page immediately following the last page containing the names of those regularly registered, and opposite each name so registered at such primary election shall be marked the words "specially registered," and such person if not challenged or if a challenge is not sustained shall thereupon be allowed to vote. Such poll books shall be delivered to the primary election board by the custodian thereof at least one day prior to the day of the primary election, and be returned to such custodian in good condition forthwith after said primary election to be preserved by him as provided by section eleven hundred and forty-five (1145) of the code.

**SEC. 6. Challenged voter—affidavit.** When the right of any person to vote is challenged, who voted at the last preceding general election and at that time declared and had recorded his party affiliations, or who voted at such general election in some other precinct of the county and there declared and had recorded his party affiliations and has produced the auditor's certificate herein required, or who voted at such preceding general election and declared his party affiliations not less than thirty (30) days before such primary election as herein provided, the election judges shall require of such person his own affidavit showing his qualifications to vote at such primary election.

**SEC. 7. Candidates for nomination—affidavit.** The names of candidates for nomination for all county offices, also members of board of supervisors and township offices in townships composed of more than one precinct and of candidates for nomination for offices to be determined in representative, senatorial, judicial, congressional or state conventions who are residents of said county, shall be filed with the county auditor at least twenty (20) days before said primary election. And said candidates shall each file therewith an affidavit stating that he is a resident of the county and that it is his bona fide intention to be a candidate for the nomination upon a stated party ticket for the office specified, as follows:

I, A. \_\_\_\_\_ being duly sworn, say that I reside at \_\_\_\_\_ street \_\_\_\_\_ (city or town) of \_\_\_\_\_ county of \_\_\_\_\_ state of Iowa and that the political party with which I affiliate is the \_\_\_\_\_ party; and I am a qualified voter therein, and a \_\_\_\_\_; that I am a candidate for nomination to the office of \_\_\_\_\_ to be voted upon at the primary election to be held on \_\_\_\_\_ and hereby request that my name be printed upon the official primary ballot as provided by law, as a candidate of the \_\_\_\_\_ party.

(Signed) \_\_\_\_\_

Subscribed and sworn to (or affirmed) before me \_\_\_\_\_ by \_\_\_\_\_ on this day of \_\_\_\_\_ 190—

**SEC. 8. Ballot—form.** Ten days prior to the primary election day the county auditor shall prepare the primary election ballot for each political party as hereafter provided and a facsimile thereof shall be published at least once in the official papers of the county prior to the primary election day. The primary election ballot of each political party shall be separately printed upon paper of uniform quality, texture and size and printed in black ink. No two party ballots shall be of the same color or tint of paper. The paper shall be of such quality, thickness and weight and folded in a way that the names of the candidates cannot be seen and the candidate for whom an elector votes cannot be determined,—except by opening the ballot. Across the head of each ballot shall be printed in a plain heavy letter the name of the political party, followed in the next line by the words “primary election ballot”. On the next lines and in smaller type shall be printed the words “lists of candidates for nomination to be voted for at the 19— primary election in \_\_\_\_\_ (precinct) \_\_\_\_\_ (township or ward) \_\_\_\_\_ county.” Next following and separated from the above heading by a light-faced dash shall appear the words: “To vote for a person mark a cross (X) in the square at the left of the name of the person for whom you desire to vote.” The remainder of the ballot shall be made up in the same manner as the ballots used at general elections, except that: Following the name of each office for which nominations are to be made shall be printed in a column the names of all the candidates in alphabetical order preceded by the words “vote for \_\_\_\_\_ (giving the number to be elected).” Each position with names of the candidates for that position shall be separated by a black-faced dash one inch in length, to separate each position clearly. Following the last names upon the ticket and separated from them by a black-faced dash, shall be a group of blank spaces headed by the word, “delegates”. On the next line shall be the words, “vote for \_\_\_\_\_,” designating the number of delegates to which that precinct is entitled. The requisite number of delegates to which each precinct is entitled shall be determined by the county auditor from the written reports of the chairmen of the respective county central committees, said reports to be filed with the county auditor on or before April 20th of each year, and setting forth the number of delegates to which each precinct is entitled in the county convention of their party. In case no report is filed by any of said chairmen as herein provided, then the auditor shall determine the requisite number of delegates to which each precinct is entitled, as he may deem just and proportionate. Opposite each blank space on the left shall be placed a square, and the elector voting the

ballot may while in the booth write or paste upon the blank spaces his choice of the requisite number of individuals who are bona fide members of that party and qualified residents of the precinct for delegates placing an X in the square opposite the name of each. Following the group of blank spaces for delegates shall be a blank space with a square set opposite to the left, headed by the word, "committeemen." The elector voting the ballot may likewise write or paste upon this space his choice of an individual who is a bona fide member of that party and a qualified resident of that precinct for precinct committeeman, placing an X in the square opposite the name. In the right hand column at the bottom shall appear upon each ballot the facsimile of the signature of the county auditor making up the tickets, followed by the words, "county auditor." There shall be no printing upon the back of the ballots, or any mark or distinguishing feature other than the party tint or color of paper excepting the initials of one of the judges.

**SEC. 9. Supplies—poll books.** The primary election board in each voting precinct shall be furnished by the county auditor with the necessary election supplies, including poll books, which shall contain tally sheet pages with the names of the candidates of the several parties for the different offices, also blank spaces for the lists of delegates voted for and for those voted for committeemen, and blank spaces for recording by the clerks of the names of the electors voting at said primary election; and upon the pages provided for the recording of said voters, there shall be ruled, commencing at the left-hand side of each page, separate columns perpendicularly, and across each line upon which the name of the voter is to be recorded and headed at the top of said page with the word "Republican", "Democrat", or the names of whatever political parties authorized by this act to appear upon the ballots used at said primary election to designate the several parties, the names of said political parties to be placed in the order of their numerical strength at the preceding November election held in the county. It shall be the duty of the clerks of the primary election when registering the name of a voter to place in the poll book a cross thus (X) in the column designating the party ticket which was given to said voter upon his application for a ticket.

**SEC. 10. Challengers.** The party committeeman for each party in each precinct may appoint in writing over his signature, two party agents or representatives, supporting different candidates for nomination for an office upon which the principal contest at said primary is being made, when there are two or more candidates for such position in the same party, who shall act as challengers for their respective parties, and shall have the same powers as challengers at general elections. The right of a person to vote at a primary election may be challenged upon the same ground and his right to vote be determined in the same manner as at a general election, also upon any ground touching his qualifications to vote under the provisions of this act. The committeeman of such party may represent the party at the polling place during the canvass of the votes or he may appoint another for that duty.

**SEC. 11. Canvass of votes.** The canvass of the votes after the close of the polls shall begin immediately in each precinct by opening the ballot boxes by the judges who shall proceed to take therefrom the ballots. Said officers shall count the number of ballots cast by each party, at the same time bunching the tickets cast by each party, together in separate piles, and then shall fasten each pile together, at the top of each ticket. As soon as the primary election board shall have sorted and fastened together the ballots of each separate party, then they shall take the tally sheets provided in the poll books and shall count all the ballots for each party separately until the count is completed, and shall certify to the number of votes cast for each candidate for each office and for delegates and committeeman upon the ticket of each party. They shall then place the counted ballots in a canvas bag

furnished for that purpose by the county auditor, but in no case shall they separate them from each other, and the bag shall be securely fastened and sealed. After all have been counted and duly certified to by the judges and clerks, they shall seal the returns for all parties in one envelope provided for that purpose, on the outside of which shall be printed in perpendicular columns the names of the several political parties, with the names of the candidates for the different offices under their respective party heading, together with blank spaces under appropriate headings for names of party delegates and committeemen, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and the names of the persons voted for under the head of delegates and committeemen shall be listed and opposite these names shall be placed the number of votes cast for each, and at the bottom the total vote cast for each political party in said precinct, to be returned to the county auditor.

**SEC. 12. Delegates—credential certificates—vacancies.** The requisite number of persons for delegates receiving the highest number of votes upon the respective party tickets, shall constitute the delegates from such precinct to the county convention, and a credential certificate shall be issued by the primary election board, upon a blank provided by the county auditor for that purpose, naming said delegates, their precinct, and the party selecting them, which credential shall be placed in the custody of the delegate receiving the highest number of votes, to be delivered to the committee on credentials at the county convention. In case of a tie vote in any precinct upon any delegate or delegates, the selection shall be determined by lot to be cast then and there as the primary board may determine. It shall be unlawful for any delegate to grant or convey his proxy to another person to serve in his place as a delegate, and the members of the precinct delegations duly selected at the primary election and in attendance at the party convention shall have the authority to either fill any vacancies arising upon the precinct delegation or to cast the full number of votes to which their precinct is entitled in the convention.

**SEC. 13. Returns.** The returns of the vote cast at the primary election together with the canvas bag containing the ballots, shall be made to the county auditor by the primary election boards, including a separately certified list of the delegates chosen to represent the various precincts in the county conventions, and also the committeemen elected to serve upon the county committees of the various political parties, by twelve o'clock noon of the next day following that upon which the primary election was held, and the county auditor shall certify a tabulated statement of the returns as reported to him from all the precincts of the county, together with the lists of delegates and committeemen and a list of the candidates for district and state offices voted upon and the vote cast for each, indicating the candidates for each office receiving the largest number of votes for district and state offices, to the chairmen of the respective county committees of the several political parties participating in said primary election by ten o'clock A.M. of the Friday following the first Tuesday in May, which returns shall be delivered by the county chairmen to the county convention of each party hereinafter provided.

**SEC. 14. Party conventions—nominations.** There shall be held conventions of delegates of the several political parties participating in the primary election on the Saturday following the first Tuesday in May at an hour and place designated by the county committees of the respective parties, and the chairman and secretary of the committee shall issue a call for same which shall be published in a newspaper of general circulation in the county at least ten (10) days preceding the time of meeting, designating the hour and place of holding the party convention. After the party convention shall have been duly constituted and organized, the secretary thereof shall read the detailed certification of returns from the primary

election as transmitted by the county auditor through the chairman of the county committee to the convention. If it shall appear that any candidate for any county office shall have a number of instructed delegates sufficient to be a majority of the whole number of delegates constituting the convention, said candidate shall thereupon be declared duly nominated without the formality of a ballot; and for such offices where no candidate shall have a majority of instructed delegates, a roll call shall be had of the various precincts of the county together with the number of votes to which each precinct may be entitled, the delegates announcing by precincts their choice for the particular office called, which balloting shall continue until some candidate for each office shall be declared the nominee of the convention for said office. And no person whose name shall not have appeared upon the primary ticket of his party in the primary election shall be entitled to receive votes in said county convention. The county convention shall by its chairman and secretary certify to the auditor of the county wherein same is held the nominees of the party; and no nominee shall be certified to except from among those whose names were printed upon the official ballot of the primary election. The conventions of the supervisorial districts and of the townships composed of more than one voting precinct shall be held in the forenoon of the same day as the county convention, and the nominees of said convention shall be duly certified to the county auditor as by law provided.

**SEC. 15. Nominees for township offices.** Candidates for township offices, except in townships composed of more than one precinct, receiving the highest number of votes cast as determined upon by a count of the votes by the primary election board shall be declared the nominee of the party in such townships. The names of candidates for nomination for offices in such townships as heretofore stated, shall be presented to the primary election board of their respective elective precincts and said board shall declare the same to the electors voting at said primary election so that said electors may vote for such candidates for nomination the same as for candidates for the various county and other offices and the nominees for township offices in such townships shall be duly certified to the county auditor by the officers of the primary election as by law provided.

**SEC. 16. Names on ballot.** There shall not be placed upon any official ballot to be voted in the next general election the name of any candidate of a political party which cast ten (10) per cent or more of the total vote cast at the preceding general election except in the manner hereinbefore provided.

**SEC. 17. County committees.** The county committees of the various political parties recognized by this act shall consist of one elector, a member of that particular political party from each voting precinct in the county, who shall be a legal voter in the precinct he is elected to represent. He shall be known as precinct committeeman and shall be elected at the primary election as hereinbefore provided.

**SEC. 18. Saloons closed.** The provision of section twenty-four hundred and forty-eight (2448) of the code, relating to the closing of saloons on election days, shall apply in like manner to the primary election day, under this act.

**SEC. 19. Primary elections in cities—conventions—committees.** The primary election in cities, as provided in this act, for the selection of delegates to municipal conventions and for voting instructions to delegates for candidates for municipal offices, and for the election of city committeemen, shall be held on the fourth Tuesday preceding the day of the municipal or city election, and all the provisions of this act shall apply to nomination of candidates for elective offices by political parties for municipal elections in such cities so far as applicable, and said municipalities shall pay the expenses of the same, all bills to be audited and passed upon by the city council. The city clerk shall receive the affidavits of candidates, and shall arrange, publish, have printed and furnish to the precinct election officers

the party tickets and necessary election supplies; to him shall be made the returns by the primary election boards, and he shall make certification of the results of the primary election to the chairmen of the city committees of the several political parties participating in said primary election by 1:30 P. M. of the Friday following said primary election, and perform such other duties relative [to] the city primary election, which shall be applicable thereto, as are provided for the county auditor in the primary election. A city convention of the various political parties participating in a primary election shall be held on the Saturday next following the day of holding the primary election, and in a like manner as provided for a county convention by this act. The delegates to the city convention shall nominate the candidates by a majority vote of said delegates from among those whose names were on the printed ballot of that party, and who were voted for at said primary election. The city committees of the various political parties recognized by this act shall consist of one elector, a member of that particular political party, from each voting precinct in the city, who shall be a legal voter in the precinct he is elected to represent. He shall be known as precinct committeemen [committeeman], and shall be elected at the city primary election.

**SEC. 20. Official neglect or misconduct—penalty.** Any primary election or other public officer, upon whom a duty is imposed by this act or by acts herein made applicable to primary elections, who shall willfully neglect to perform such duty or who shall willfully perform it in such a way as to hinder the objects thereof or shall disclose to anyone, except as may be ordered by any court of justice the contents of any ballot or any part thereof, as to the manner in which the same may have been voted, shall be punished by a fine of not less than one hundred (100) dollars nor more than one thousand (1,000) dollars, or by imprisonment in the penitentiary not less than one or more than five years or by both fine and imprisonment.

**SEC. 21. Agreement to assist candidate for pay or acceptance of pay—penalty.** Any person who shall agree to perform any services in the interest of any candidate in consideration of any money or other valuable thing, or who shall accept any money or other valuable thing for such services performed in the interest of any candidate, shall be punished by a fine of not more than three hundred dollars (\$300.00) or be imprisoned in the county jail not exceeding thirty days. But nothing herein shall be construed to include persons making contracts in good faith for the conveyance of voters to and from polling places on the day of the primary election and the payment of any reasonable compensation for such services.

**SEC. 22. Bribery—penalty.** Any person offering or giving a bribe either in money or other consideration to any elector for the purpose of influencing his vote at any primary election, or any elector entitled to vote at such primary election receiving and accepting such bribe, any person making false answer to any of the provisions of this act relative to his qualifications and party affiliations; any person willfully voting or offering to vote at a primary election who has not been a resident of this state for six (6) months next preceding said primary election, or who, at the primary election, is not twenty-one (21) years of age, or is not a citizen of the United States; or knowing himself not to be a qualified elector of such precinct where he offers to vote; or any person violating any of the provisions of this act or of the code, as may be hereto applied, and any person knowingly procuring, aiding, abetting such violation, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined a sum not less than one hundred (100) dollars nor more than five hundred (500) dollars, and be imprisoned in the county jail not less than ten (10) days nor more than ninety (90) days.

**SEC. 23. When applicable.** This act shall not apply to the nomination of candidates or choice of delegates made prior to the next general election.

**SEC. 24. In effect.** This act shall take effect and be in force from and after its publication in the Register and Leader and the Daily Iowa Capital,

newspapers published in Des Moines, Iowa, and the same shall be published in the official newspapers of the county wherein same shall be applicable at the expense of the respective counties.

Approved April 9, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Daily Iowa Capital, April 13, 1904,

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 41.

### FILLING VACANCIES IN OFFICE.

H. F. 14.

AN ACT to amend section twelve hundred and seventy-two (1272), of the code relating to the filling of vacancies in office.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Vacancies.** That section twelve hundred seventy-two (1272) of the code be and the same is hereby amended by striking out all after the word "offices" in the nineteenth line of said section down to and including the word "council" in the twenty-fourth line of said section, and enacting in lieu thereof the following:

"the council may appoint any qualified elector to fill such vacancy, who shall qualify in the same manner as persons regularly elected to fill such office, and shall hold such office until the qualification of the officer elected to fill such vacancy, who shall be elected at the next regular municipal election;"

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall be in force from and after its publication in the Register-Leader & Des Moines Daily Capital, newspapers published in the City of Des Moines.

Approved February 27, A. D. 1904.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, February 29, 1904, and Register-Leader February 29, 1904.

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 42.

### COUNTY LEVY FOR BRIDGE PURPOSES.

H. F. 16.

AN ACT to amend section one thousand three hundred three (1303) of the code, in relation to county levy for bridge purposes.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Levy—amount of.** That line one in paragraph four of section thirteen hundred and three (1303) of the code be amended by striking out the word "three" and inserting in lieu thereof the word "four".

Approved February 24, A. D. 1904.

## CHAPTER 43.

### ERECTION OR PURCHASE OF WATERWORKS AND A SYSTEM OF SEWERS.

H. F. 862.

AN ACT to amend section two (2), chapter forty-one (41) of the acts of the Twenty-eighth General Assembly as found in section thirteen hundred and six-b (1306-b) of the supplement to the code relating to the amount of indebtedness which incorporated towns and cities of the second class may incur, for the purpose of erecting or purchasing waterworks and a system of sewers.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Amount of indebtedness.** That section 2, chapter 41, of the acts of the Twenty-eighth General Assembly as found in section thirteen